

**REMARKS**

The Office Action mailed March 21, 2005 has been received and carefully noted. The following remarks are submitted as a full and complete response thereto.

A "Petition for Extension of Time" for extending the due date for responding to the Office Action by three months and a credit card payment form to cover the fee payment (\$1020.00) for the extension are filed with this Amendment. Authorization is granted to charge counsel's Deposit Account No. 01-2300, referencing Attorney Docket No. 107156-00073, for any additional fees necessary for entry of this Amendment.

Claims 1, 5 and 6 have been canceled and independent claim 7 and dependent claims 8 and 9 are newly added. Applicants submit that these new claims are supported in the Specification and the drawings, as originally filed, and therefore no new matter has been introduced. Accordingly, claims 7-9 are pending in the present application and are respectfully submitted for consideration.

Canceled claims 5 and 6 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Based upon the cancellation of these claims, the rejections thereto are submitted as being moot.

Canceled claims 1, 5 and 6 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the Kitamura patent (U.S. Patent No. 6,704,421). Based on the cancellation of these claims, the rejections thereto are submitted as being moot. Insofar as the rejections may be applied to newly added claims 7-9, the rejections are respectfully traversed and reconsideration is requested.

Newly added independent claim 7 recites an audio reproducing apparatus comprising an audio reproducing device for optically reproducing information data recorded in an information recording medium; and a signal processing device for processing the information data, the signal processor comprising a decoding device for demodulating the information data to produce audio streams of original audio data; a discriminating device for discriminating a sound field attribute from each of the audio streams; a storing device for storing a plurality of frequency characters for filtering the audio streams; a control device for searching the storing device for a frequency character corresponding to a discriminated sound field attribute of a selected audio stream and selecting the corresponding frequency character; a renewing device for variably filtering the selected audio stream in accordance with the corresponding frequency character; and a converting device for converting the filtered selected audio stream into an analog audio signal for output. Applicant respectfully submits that the Kitamura patent does not disclose or suggest the audio reproducing apparatus, as claimed.

Specifically, the Kitamura patent discloses that when an audio medium's identification number (ID) is read from the medium header or a particular track, the multichannel audio control system selects the appropriate equalization template preset by the user to effect desired audio output. (col. 2, ls. 60-62) Alternatively, if the storage medium is programmed with equalization type key (e.g., "classical" or "jazz"), the key is used by the system to select a user preset equalization template to effect desired audio output. (col. 3, ls. 1-8) However, the Kitamura patent fails to disclose that each track may contain a plurality of different audio streams having different sound field attributes. In contrast, the present invention discloses that each audio stream of a track has its own sound field attribute which is read when reproducing audio information, and thus it is possible to effect a desired control in real time even if audio streams contained in

one track are different from each other. Accordingly, the Kitamura patent fails to disclose or suggest the audio reproducing apparatus, as claimed.

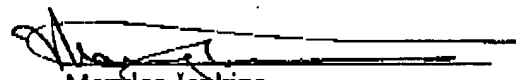
Based upon the forgoing, Applicants respectfully submit that each and every element recited within newly added independent claim 7 is neither disclosed nor suggested by the Kitamura patent, and therefore the independent claim is patentable and in condition for allowance.

It is further submitted that newly added dependent claims 8-9 are also patentable and in condition for allowance due to their dependency upon independent claim 7, since the dependent claims differ in scope from the parent claim and are further limited to additional features of the invention. Therefore, it is respectfully submitted that the newly added dependent claims are patentable over the Kitamura patent for at least the reasons set forth above with respect to independent claim 7. Reconsideration is requested.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicant's undersigned counsel at the telephone number, indicated below, to arrange for an interview to expedite the disposition of this application.

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Respectfully submitted,

  
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